



Benjamin W. Hulse
Direct Dial: 612-343-3256
E-Mail: bhulse@blackwellburke.com

September 8, 2017

Via ECF

The Honorable Joan N. Ericksen
District Judge, District of Minnesota
United States District Court
12W U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

RE: *In re Bair Hugger Forced Air Warming Devices Products Liability Litigation*
MDL No. 15-2666-JNE-FLN

Dear Judge Ericksen:

Defendants propose that the Court redact the following portions of its Sealed Memorandum dated September 1, 2017 (ECF No. 713):

Page 1, redact the final sentence in the last line of the page (the sentence that begins “The transferor...” and continues onto page 2).

Page 5, in the final paragraph, redact parenthetical that begins “In their Motion seeking *in camera* review . . .”

Page 6, redact first sentence in the first paragraph (the sentence that begins “The Court also limits its inquiry...”)

Page 7, redact the entire first full paragraph, beginning after the phrase “The crime-fraud exception does not apply here.”

Page 7, redact second full paragraph (the paragraph that begins “The Memorandum finds...”), which continues onto page 8.

Page 8, redact entire first full paragraph (the paragraph that begins “From these facts...”)

These portions of the Court’s Sealed Memorandum should be redacted because they quote, paraphrase, or otherwise summarize the contents of a memorandum opinion that was sealed by the

The Honorable Joan N. Ericksen

September 8, 2017

Page 2

pre-consolidation transferor court for good-cause reasons explained in that court's record. Furthermore, the transferor court's memorandum opinion was, as this Court has noted, "suspended" by that court "pending further review." (Mem., 13-cv-1164 Dkt. No. 193, at 1 (S.D. Tex. Oct. 29, 2015).)

Defendants also submit that the transferor court's memorandum opinion itself should remain under seal for the same reasons it was originally sealed.

Sincerely,

s/ Benjamin W. Hulse

Benjamin W. Hulse

Counsel for Defendants 3M Company and Arizant Healthcare Inc.

BWH:ck